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and Sonichash, LLC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

BCB CHEYENNE, LLC d/b/a BISON )  
BLOCKCHAIN, )  
) )  
Plaintiff )  
v. )  
) )  
MINEONE WYOMING DATA CENTER )  
LLC, MINEONE PARTNERS LLC., )  
TERRA CRYPTO INC., BIT ORIGIN, )  
LTD., SONICHASH, LLC., BITMAIN )  
TECHNOLOGIES HOLDING )  
COMPANY, BITMAIN TECHNOLOGIES )  
GEORIGE LIMITED, and JOHN DOES )  
1-18, related persons and companies who )  
Control or direct some or all of the named )  
Defendants. )  
) )  
Defendants. )  
)

Civil Action No. 23-CV-79-ABJ

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**DEFENDANTS BIT ORIGIN, LTD AND SONICHASH, LLC’S  
MOTION TO VACATE ORDER ON INITIAL PRETRIAL CONFERENCE AND SET A  
NEW SCHEDULING CONFERENCE**

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Defendants Bit Origin, LTD (“Bit Origin”) and SonicHash, LLC (“SonicHash”), by and through their counsel, Sundahl, Powers, Kapp & Martin, LLC, hereby move this Court for an order

vacating the current *Order on Initial Pretrial Conference* dated August 30, 2023, and set a new scheduling conference. In support of this motion, Defendants state as follows:

1. The Court entered its *Order on Initial Pretrial Conference*, setting the deadlines in this matter on August 30, 2023.
2. Due to unforeseen circumstances, Defendants Bit Origin and SonicHash required substitute counsel. Defendants' new counsel entered their appearances on February 21, 2024, and Defendants' prior counsel filed their *Notice of Withdrawal as Counsel* on February 22, 2024.
3. To date, over 80,000 pages of documents have been produced by the various parties, including over 41,000 pages on February 15, 2024. Additionally, there is currently outstanding discovery to which additional documents will be produced in this matter. Counsel for Defendants Bit Origin and SonicHash have not had an opportunity to engage in a meaningful review of the documents that have been produced to date.
4. Depositions have not yet been scheduled but Defendants Bit Origin and SonicHash expect them to be voluminous. Over seventy-four potential witnesses have been identified in the Parties initial disclosures.
5. The deadlines currently set in this matter do not allow Defendants Bit Origin and SonicHash to engage in a meaningful review and analysis of the volume of discovery already produced, and the additional discovery expected to be produced, and complete the remaining discovery that may be needed. Defendants Bit Origin and SonicHash will be substantially prejudiced in its defenses if the Court does not vacate the current scheduling order and reset a scheduling conference.
6. Pursuant to Fed. R. Civ P. 16(b)(4), the Court may amend the scheduling order upon a showing of "good cause." The volume and extent of discovery, coupled with the late

addition of new counsel for Defendants Bit Origin and SonicHash constitutes good cause. Decisions regarding whether to extend or reopen discovery are “committed to the sound discretion of the trial court[.]” *Smith v. United States*, 834 F.2d 166, 169 (10th Cir. 1987).

7. Counsel for Defendants Bit Origin and SonicHash has reached out to Plaintiff’s counsel to discuss the filing of this motion, and oppose they the motion. All Defendants stipulate to this motion.

WHEREFORE Defendants Bit Origin, LTD and SonicHash, LLC respectfully request this Court enter an Order vacating the current Order on Initial Pretrial Conference and set a new scheduling conference.

DATED this 23<sup>rd</sup> day of February 2024.

/s/ Meggan J. Hathaway  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing was duly served by filing with Pacer CM/ECF which sent copies to the following parties, on this 23<sup>rd</sup> day of February 2024 addressed as follows:

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